

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

JONATHAN S. WERSTEIN,

Plaintiff,

vs.

UMONHON NATION PUBLIC SCHOOLS, a  
Nebraska School District,

Defendant.

**8:17CV227**

**ORDER**

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff - - must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff, proceeding pro se, commenced this action more than ninety days ago, on June 27, 2017. ([Filing No. 1](#)). To date, Plaintiff has not filed any return of service indicating service on Defendant and Defendant has not entered a voluntary appearance. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until October 25, 2017, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 27<sup>th</sup> day of September, 2017.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge